

REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL
TUESDAY, December 1, 2009
7:30 p.m.

Mayor Ray Ewing called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Vice Mayor Shull gave the invocation.

Roll call showed the following present:

Vice Mayor Joy Shull, Council member Ronald Bowers, Council member Michael Grim,
Council member James Harter, Council member Joseph Hollis.

Absent: Council member Linden A. Fravel, Jr.

Staff present: Mike Kehoe, Town Manager: Brian Henshaw, Town Planner; David Griffin, Town Attorney; Kim Uttenweiler, Town Treasurer; Dianne MacMillan, Town Clerk

Press: J.R. Williams, Northern Virginia Daily

Guests: Representatives from Shenandoah Valley Christian Academy

AGENDA

Council member Grim moved that the Agenda be adopted as presented and the motion passed.

PUBLIC COMMENTS

The Mayor opened the floor for public comment. There being none, the public comment period was closed.

MINUTES – November 3, 2009 Regular Meeting

Vice Mayor Shull moved for approval of the minutes of November 3, 2009 as presented and the motion carried with the following vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Harter	-	Aye	
Abstain – Council member Grim			
Council member Hollis			
Absent – Council member Fravel			

TREASURERS REPORT – Kim Uttenweiler

The Mayor asked for questions or comments regarding the treasurer's report. There being none the report was accepted as presented.

POLICE REPORT – Charles Bockey, Chief

The Mayor reported that Chief Bockey was sick with the flu and asked for questions or comments regarding the police report. There being none, the Police Report was accepted as presented.

ACTION AGENDA

A. Revision of Bylaws for Historic Preservation Commission

Mayor Ewing asked Mr. Henshaw for information on the proposed HPC bylaw changes. Mr. Henshaw gave a brief background on the need for the updates and advised that the Town Council must approve any changes prior to adoption by the HPC. He said that the revision included minor editorial changes and a change to the meeting time which would better suit the members. Mr. Henshaw added that the Commission had also requested a change to section 3.1.1 under membership allowing for an alternate from the Department of Historic Resources to be named to attend meeting in the absence of Dave Edwards. Council member Grim said this was discussed at an earlier Council meeting and initiated the question of voting rights since this alternate would not have been specifically appointed by Council. Town Attorney, Dave Griffin said the alternate could be allowed and with voting rights if Council specifically allowed the naming of alternates in the bylaws.

Mr. Griffith added that he did see one issue under the appeals section that included a fee charged in case of an appeal. He advised that before Council imposes fees, a public hearing is required. Mr. Henshaw reported that this was not a change and already existed in the bylaws of the HPC. Mr. Kehoe also advised that there had never been an instance of imposing a fee. Mayor Ewing suggested that the bylaws could be adopted with the exception of Section 10-2 which set the fees. He said this would be subject to Public Hearing and could be adopted later.

Council member Harter moved that the Town Council adopt the revised bylaws for the Historic Preservation Commission with the exception of Section 10-2 (copy attached). The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Fravel

B. Request for Extension of West Wynd Final Plat Approval

Mayor Ewing stated that West Wynd had requested an extension on final plat approval which was allowed for a one-time six-month extension under the ordinance.

Council member Grim moved that the Council of the Town of Stephens City grant a one-time extension for the West Wynd Subdivision final plat; such final plat to be approved by April 7, 2010. The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Fravel

C. Revision of Town of Stephens City General Policies and Procedures

Council member Hollis, chair of the Administrative Committee reported that the Committee had met and reviewed the proposed changes to the procedures and policies and recommended that Council approve them as revised. Council member Hollis moved that the Council approve the revisions to the Town of Stephens City Policies and Procedures to include General Policies and Procedures, Water/Sewer Account Policy, Purchasing Policy, Procurement Policy, FOIA Policy, Identity Theft Prevention Policy, and Records Management Policy. Vice Mayor Shull suggested that the water and sewer account policy section A2 be changed to include a security deposit of \$120.00 for accounts outside the town limits. She noted that this would bring the policy into agreement with the existing ordinance. Council member Hollis amended his motion to include the addition of a deposit of \$120.00 for deposits for of accounts outside the town limits to the Water/Sewer Account Policy (copies attached). The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Fravel

D. Resolution of Appreciation to Shenandoah Valley Christian Academy

Mayor Ewing said this proposed resolution was for work that the young folks from the Christian Academy did to clean up and beautify Main Street in Stephens City. Council member Bowers moved to adopt the Resolution (copy attached) and the motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Fravel

Mayor Ewing requested that the young people from Shenandoah Valley Christian Academy come forward to accept the Resolution. Pictures were taken and the Council extended its thanks with applause.

COMMITTEE REPORTS

A. Administrative Committee – Joseph Hollis, Chair

Council member Hollis stated that the Administrative Committee report was acted upon and there was nothing further to report.

B. Finance Committee – Joseph Hollis, Chair

Council member Hollis reported that the Finance Committee met and had agreed that the Town should close its books on budget year 2007-2008. He said that they were still struggling to get year-end entries but had decided to close the year. He also reported that the Town had requested reimbursement from VDOT in the amount of \$70,000.00 for the Mulberry Street improvement project.

Council member Hollis moved that the Town Treasurer be directed to close the books for Fiscal Year 2007-2008 noting that the current auditors would make prior period adjustments as needed. The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Fravel

C. Water/Sewer Committee – Joy Shull, Chair

Vice Mayor Shull reported that the committee met on December 18 with Town Engineer Tim Stowe to review the water system fee recommendations and to set priorities for proposed wastewater system projects. She added that the report was included with the agenda package for

review by the members. Vice Mayor Shull asked for any comments or questions from the members and there were none.

Vice Mayor Shull moved that the Council set a public hearing for increasing the fees for water availability based on meter size. The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Fravel

Vice Mayor Shull moved to set a priorities list for projects to upgrade the sewer system from those listed in the Comprehensive Plan based on recommendations from the Water/Sewer Committee as follows: Priority I – Project 3, Capacity Expansion Project (replacement of existing Mulberry sewer main from east of I-81 to Stephens Court); Priority II – Project 1, I&I Reduction Project (replacement of 8” sewer main from north end of Pittman to north end of Water Street) and Priority III – Project 2, I&I Reduction Project (replacement of 8” sewer main from Locust St. to Bell Air St.). The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Fravel

Mayor Ewing requested that Mr. Henshaw address the revisions to the CIP for these projects through the Planning Commission. Mr. Henshaw stated that this process had begun and would be addressed this month at the Planning Commission meeting with plans to finalize it by next month. There was further discussion of CIP funds and appropriation procedure.

D. Personnel Committee – James Harter, Chair

Council member Harter reported that the committee did not meet.

E. Parks and Recreation Commission – Ronald Bowers, Chair

Council member Bowers reported that the committee did not meet.

PLANNER'S REPORT – Brian Henshaw

Mr. Henshaw reported that the street striping was not quite complete as the cross walks had not been finished due to weather. He said the contractor had not been paid for the work yet which should be completed in the next two weeks. Everyone agreed that it was a huge improvement in the appearance of the streets in town.

Mr. Henshaw said the North Main Street Enhancement Grant was received back from VDOT and their comments had been addressed by contractors. He said he hoped to get the first walk-through and survey before the end of the year

Mr. Henshaw reminded everyone of the Christmas on the Commons event to be held December 5th. He said the event would be sponsored by the Stephens City Business Association and so far it had been getting good feedback. He reported that the Association had really taken off and there should be good attendance at the event. He said it would be a good fun-filled family event. He noted that the Stephens City Business Association would be planting a new tree to serve as the town Christmas tree for future celebrations on the Commons.

TOWN MANAGERS REPORT

1. Mr. Kehoe reported that the town had been conducting smoke testing several days in December on the east side of town and had found quite a few problems both in the mains and lateral. He said that reaffirmed suspicions about the east side of town and supported establishing Project 3 as Priority I requested by the Water/Sewer Committee. He said there was further testing planned for later in the month, weather permitting, in the central part of town on Germain and Water Street. He said the smoke testing was providing good information.
2. He also reported that the Town picked up leaves in the month of November. He said he had received more positive feedback from this than anything since he had been with the Town. He added that because of this positive feedback, it was decided to continue the pickup on Mondays for a couple more weeks. He added that after January 1st, the town would be picking up Christmas trees as usual.
3. Mr. Kehoe reported that the smoke testing had been temporarily put on hold while town employees decorated for Christmas. He asked that everyone notice the new lights on the tree adding that the old lights had over the years grown into the branches of the big tree and required replacement.
4. Mr. Kehoe asked Council if it would authorize a Christmas luncheon or dinner for Friday, December 11 at Butcher Block Buffet for employees and officials. He said that would also be Officer Simmers' last day as he was retiring. Council approved the luncheon at noon by consensus.
5. Mr. Kehoe said following earlier discussions about CIP funds, he had reported last month that the Town purchased a newer dump truck but the funds were not completely

appropriated in the current budget. He asked that this appropriation be made. Vice Mayor Shull asked if he was requesting a specific amount? Mr. Kehoe said the new truck cost \$18,000 and the old truck would be sold.

Vice Mayor Shull moved that the Town appropriate \$18,000.00 from the CIP fund for purchase of new dump truck. Council member Grim asked where money from sale of old truck would go and Mr. Kehoe said it would go back into the general fund. Council member Bowers added that the new truck had been a good buy. The motion carried with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Bowers	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Fravel

COUNCIL COMMENTS/CALENDAR

By request of the Finance Committee the meeting scheduled for December 23rd was cancelled. There being no further comments or questions, Mayor Ewing said the rest of the calendar would stand as scheduled unless the members were advised otherwise.

There being no further business, Council member Grim moved to adjourn at 8:05 p.m. and the motion carried.

Ray E. Ewing, Mayor Ray Ewing

Diane L. MacMillan, CMC, Town Clerk